

BellSouth Telecommunications, Inc.
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REC'D TN
REGULATORY AUTH.

Patrick Turner
Attorney

*00 AUG 28 PM 3 37
August 28, 2000
OFFICE OF THE
EXECUTIVE SECRETARY

VIA HAND DELIVERY

David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Tariff Filing of BellSouth Telecommunications, Inc. to Reduce
Grouping Rates in Rate Group 5 and to Implement a 3% Late Payment
Charge*
Docket No. 00-00041

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth Telecommunications, Inc.'s Response to the Consumer Advocate Division's Motion to Modify Protective Order or Change the Classification of Documents Marked Confidential. Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,



Patrick W. Turner

PWT:ch
Enclosure

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: *Tariff Filing of BellSouth Telecommunications, Inc. to Reduce Grouping Rates in Rate Group 5 and to Implement a 3% Late Payment Charge*

Docket No. 00-00041

BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSE
TO THE CONSUMER ADVOCATE DIVISION'S MOTION TO MODIFY
PROTECTIVE ORDER OR CHANGE THE CLASSIFICATION OF
DOCUMENTS MARKED CONFIDENTIAL

BellSouth Telecommunications, Inc. respectfully submits this Response to the "Motion to Modify Protective Order or Change the Classification of Documents Marked Confidential" filed by the Consumer Advocate Division ("CAD"). BellSouth received the CAD's "Motion to Modify Protective Order or Change the Classification of Documents Marked Confidential" at 2:27 p.m. on Friday, August 25, 2000. BellSouth respectfully requests the TRA to either deny the Motion for the following reasons:

1. The Motion does not specify with sufficient particularity the documents to which it relates.
2. To the extent that the Motion relates to the documents referenced in Paragraph 8 of the Motion, those documents are contracts which contain information that constitutes or is analogous to rating information, plans or proposals; actuarial information; specifications for specific services provided; and any other similar commercial or

financial information which, if known to the competitors of BellSouth or the other parties to the contracts, would give them an advantage or an opportunity to gain an advantage over BellSouth or the other parties to the contracts when providing or offering to provide the same or similar services to customers. Cf. §8-44-102(b)(1)(E)(ii)(b)(1). They also contain information which constitutes or is analogous to technical information, design, process, procedure, formula or improvement which is of value to BellSouth or other parties to the contracts, and BellSouth or other parties to the contract take measures to prevent this information from becoming available to persons other than those selected by BellSouth or the parties. Cf. §8-44-102(b)(1)(E)(ii)(b)(2).

3. The Motion contains inaccurate statements including, without limitation, the assertion that "BellSouth bills and collects for services rendered by . . . [CLECs]." Motion at ¶10. BellSouth does not perform billing and collection activities on behalf of CLECs.

In the alternative, in the event that the TRA does not deny the Motion, BellSouth respectfully requests that the TRA postpone consideration of this particular motion (and only this motion) until after the August 29, 2000 Director's Conference for the following reasons:

1. Most, if not all, of the documents referenced in Paragraph 8 of the Motion contain express contractual provisions requiring the parties to those contracts to treat the contracts as proprietary and confidential. Many of the other parties to these contracts are IXC's or clearinghouses with national operations and who negotiate similar contracts with RBOCs and other telecommunications services providers throughout the country. These parties have an obvious interest in protecting the financial and non-financial details of the agreements they have negotiated with BellSouth from disclosure to other telecommunications services providers of billing and collection service who may attempt to use such information to gain an advantage in subsequent contract negotiations. At a minimum, therefore, the TRA should allow BellSouth to notify its billing and collection customers (including, without limitation, AT&T, Sprint, and

MCI) of the CAD's request so that these other providers may appear and argue their position to the TRA.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

A handwritten signature in cursive script, appearing to read "Patrick W. Turner", is written over a horizontal line.

Guy M. Hicks

Patrick W. Turner

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CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2000, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☐ Hand
- ☒ Mail
- ☒ Facsimile
- ☐ Overnight

L. Vincent Williams, Esquire
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